



County of Los Angeles  
**CHIEF ADMINISTRATIVE OFFICE**

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DAVID E. JANSSEN  
Chief Administrative Officer

Board of Supervisors  
GLORIA MOLINA  
First District

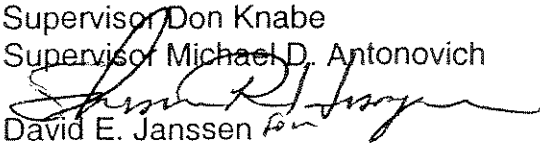
YVONNE BRATHWAITE BURKE  
Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

September 15, 2003

To: Supervisor Yvonne Brathwaite Burke, Chair  
Supervisor Gloria Molina  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe  
Supervisor Michael D. Antonovich  
From: David E. Janssen   
Chief Administrative Officer

**STATE LEGISLATIVE UPDATE – END OF SESSION REPORT**

In the early morning of September 13, 2003, the Legislature adjourned the first year of the legislative session, and will reconvene on Monday, January 5, 2004. The unusually high level of partisanship made it difficult to act, and seems to have been compounded by an acute case of inter-house conflict that blocked action on a number of bills of interest to the County. The root of the problem appears to have been a number of concessions to Assembly Republicans made by the Speaker in order to garner sufficient votes for the budget bills prior to the August recess. Because the Senate had already left for the recess, these concessions, as well as a number of other revisions to the budget sought by the Assembly, had to be approved by the Senate prior to adjournment. With the notable exception of the reduction in the ERAF transfer by community redevelopment agencies, virtually all of the Assembly changes were either voted down in the Senate or failed to come to a vote. On the last day of the session, Assembly Republicans did not vote for most bills that required a two-thirds majority. A number of budget restorations that would have benefited the County were not approved.

Budget trailer bill SB 1050, which would have provided an additional \$10 million to the Department of Forestry and Fire Protection and \$11.4 million to the Department of Pesticide Regulation, some of which would have flowed to county agriculture departments, was defeated in the Senate by a vote of 0 to 34, after its linkage to SB 1049 was eliminated. Budget trailer bill SB 1053, which would have provided an

additional \$8.1 million for Vertical Prosecution Grants and \$5.5 million for the War on Methamphetamine, and SB 1042, which would have restored \$16.1 million for corrections training, were never taken up by the Senate. SB 407 (Torlakson), which would have funded the cost to counties of conducting the recall election by requiring an ERAF transfer by certain special districts, was defeated in the Assembly 24 to 39, largely along party lines but with many Democrats not voting. AB 421 (Steinberg), which was initially joined to SB 407, and which would have given local governments the option under the sales tax–property tax swap of having the growth in their replacement revenue tied to the change in either sales or property taxes, was defeated in the Senate by a 13 to 21 vote. Finally, budget trailer bill SB 1043, which had been amended in the Senate to provide \$900,000 in State matching funds for the Castaic Lake Recreation Area, never came to a vote in the Assembly.

Two bills of potential interest that did manage to make it through the end of session minefield include County supported AB 1716, which would provide for a one-time adjustment of base realignment funding for the caseload-driven portion of the Social Services Account, and AB 296, which is a miscellaneous general government trailer bill that among other things caps certain court fees and imposes a court security surcharge on various filing fees. Finally, the Assembly's action prior to the August recess to reject the Senate's repeal of county authority to charge booking fees, as well as the related State subsidy to cities and special districts, was not reversed.

Bills that passed the Legislature will now proceed to the Governor who has thirty days to sign or veto measures. Bills that passed their house of origin now become two-year bills, while those that did not, are dead, but their subject matter could be revived in other legislation.

The following sections are based on information provided by our Sacramento Advocates, however, due to the fast pace of legislative activity during the last days of the session, we will advise you at a later date if there is additional information. A complete listing of bills on which the County has taken positions is attached.

### **Workers' Compensation Reform**

The Legislature adopted six of eight bills produced by the Workers' Compensation Conference Committee. The bills are:

**AB 149 (Cohn)** extends the statute of limitations for claims for workers' compensation death benefits in the case of firefighters whose death results from asbestosis.

**AB 1099 (Negrete-McLeod)** increases the role of the State Employment Development Department (EDD) in combating fraud by including it among the agencies authorized to request and receive information regarding workers' compensation fraud investigations, and permits insurers to notify EDD when they know, or reasonably believe they know, the identity of a person or entity that has committed workers' compensation fraud.

**AB 1262 (Matthews)** requires insurance firms to ensure that claims adjusters handling workers' compensation claims meet minimum standards of training, experience, and skills, and requires the Department of Insurance to adopt regulations setting forth standards regarding minimum qualifications and competencies.

**SB 227 (Vargas)** reforms many of the administrative aspects of the workers' compensation system including, 1) 100 percent employer funding for the State Division of Workers' Compensation, 2) repeal of the vocational rehabilitation program and creation of an alternative new supplemental job displacement benefit for injuries occurring on or after January 1, 2004, 3) authorization for the California Infrastructure and Economic Development Bank to issue up to \$1.5 billion worth of bonds at any one time to assist in the solvency of the California Insurance Guarantee Association, 4) an increase in the maximum fine for workers' compensation fraud from \$50,000 to \$150,000, and 5) a requirement that the Insurance Commissioner develop an online rate comparison guide showing workers' compensation insurance rates.

**SB 228 (Alarcon)**, which has the most direct impact on the County, includes the following provisions: 1) adoption of medical treatment utilization standards for injuries effective by January 1, 2004, 2) creation of a medical treatment utilization schedule that includes limiting chiropractic and physical therapy visits to 24 per injury, 3) a requirement that employers assume 100% responsibility of the costs for the administration of the State Workers' Compensation program, 4) prohibition of physician referrals to outpatient surgery centers where they have a financial interest, 5) use of generic drugs and medical supplies in all situations, except under certain controlled conditions, 6) payment of medical bills within 45 days, except for government employers who have 60 days, 7) increases penalties for late payment of a bill, and designates false or fraudulent statements or certain actions with respect to workers' compensation claims as a crime, 8) authorizes the treating physician's presumption of correctness to be rebutted, 9) freezes workers' compensation insurance rates from January 1 through December 31, 2004 to those in effect on July 1, 2003, and 10) requires the adoption of an electronic bill paying procedure for medical services on or before January 1, 2005 and all employers to accept claims and pay claims within 15 working days commencing on July 1, 2005.

**SB 1007 (Speier)** expands the definition of "common trade or business" to certain manufacturing and agricultural sectors for the purposes of group workers' compensation insurance policies. This will also allow certain employers to form associations so that they may provide group workers' compensation policies to similarly situated employees

The Assembly did not act on **AB 968 (Correa)** which would place employee injuries suffered as a result of a vaccination administered to prevent infection by a biochemical substance or blood-borne infectious disease under workers' compensation, and **SB 107 (Vincent)** which would exempt certain diagnostic providers from the workers' compensation fee schedule. These bills will be considered in January.

### **Employer Mandated Health Coverage**

**County-supported SB 2 (Burton, Speier)** passed the Legislature and proceeds to the Governor. SB 2 mandates employer-based health coverage beginning January 1, 2006 for large employers, with smaller employers in years thereafter. Employers would be required to provide coverage or participate in a State Health Purchasing Program. The measure is projected to cover more than 1 million uninsured.

### **Employment, Compensation and Retirement**

**County-supported, if amended, AB 55 (Correa)**, which would amend the 1937 County Employee Retirement Act to allow an employee to purchase up to 5 years of additional service credit actual service, was signed by the Governor on September 4, 2003.

**County-supported, if amended, AB 185 (Horton)**, which prohibits the California Department of Food and Agriculture (CDFA) from entering into cooperative agreements with Los Angeles County, beginning in the 2003-04 fiscal year, unless at least 20 percent of the agricultural aides are permanent employees, was passed by the Assembly on September 13, 2003 after concurrence with Senate amendments by a vote of 74 to 5. The bill now proceeds to the Governor. Our Sacramento Advocates and the department director have been attempting to work with the author's office and the CDFA to either amend the bill to provide funding or to obtain a commitment to provide contingency funding. Since these efforts have not been successful, **our Sacramento Advocates will now be urging the Governor to veto AB 185.** The California Agricultural Commissioners and Sealers Association will also be urging the Governor to veto the bill because of the precedent established by this legislation and the potential threat to seasonal and eradication programs.

**County-opposed AB 1141 (Diaz)**, which would make agency shop agreements applicable to confidential and supervisory employees, was signed by the Governor on August 9, 2003.

**County-opposed AB 1362 (Kehoe)**, which would extend compensation disability benefits under Section 4850 of the Labor Code to provide police officers, sheriffs, or firefighters with a tax-free, two-year leave of absence without loss of salary, in lieu of temporary disability for a work-related injury, was sent to the Senate Appropriations Committee on September 10, 2003 and is now a two-year bill.

**County-opposed AB 1587 (Committee on Public Employees and Retirement)**, which would prohibit 1937 Retirement Act Counties from adopting any retirement benefits changes that would not apply to all members, and modify the Meyers-Millias-Brown Act relating to the negotiation of retirement benefits, passed the Assembly on September 11, 2003 after concurrence with Senate amendments by a vote of 49 to 28. The bill proceeds to the Governor.

**County-opposed SB 125 (Chesbro)**, which would extend public safety workers' compensation benefits to county welfare fraud investigators, and to Los Angeles County coroners and deputy coroners, received Senate concurrence with Assembly amendments by a vote of 22 to 15, on September 11, 2003. It now proceeds to the Governor.

**County-opposed SB 440 (Burton)**, which would require a unanimous vote of the governing body of an employer agency to reject the decision of an arbitration panel, convened in an impasse situation between representatives of firefighters or law enforcement officers, and their employers, passed the Legislature on September 2, 2003, and is awaiting action by the Governor.

#### **Environment, Resources, and Recreation**

**County-supported AB 120 (Wyland)**, which would have appropriated \$1.1 million from Proposition 50, the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002, for eradication of *Caulerpa taxifolia*, an invasive species of sea weed from the Agua Hedionda Lagoon in San Diego County, did not pass the Assembly Committee on Environmental Safety and Toxic Materials.

**County-supported, if amended, AB 496 (Lowenthal)**, which was originally authored by Assemblymember Correa, to create the Santa Ana River Conservancy, was amended in the Senate on September 8, 2003, eliminating all of its original language and changing it into a bill about private, post-secondary, vocational-educational institution accreditation. The bill's new language was deleted on September 13, 2003, and replaced with a bill authored by Assemblymember Lowenthal, which would extend an exemption from State and local sales and use taxes on petroleum products, commonly known as "bunker fuel", until 2014. The latest version of AB 496 was not acted on prior to adjournment.

**County-opposed, unless amended, AB 1051 (Goldberg)**, which would change the way utilities charge users for capital improvements, passed the Assembly on September 11, 2003. The bill proceeds to the Governor.

**County-supported AB 1405 (Wolk and Harman)**, which encourages the California Environmental Protection Agency and the Resources Agency to provide assistance and grants to those who choose to participate in watershed enhancement and restoration, passed the Assembly on September 12, 2003. The bill proceeds to the Governor.

**County-supported SB 21 (Machado)**, which would have required various State agencies to establish guidelines for implementation of Proposition 50, the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002, did not pass the Senate Committee on Appropriations.

**County-supported, if amended, SB 196 (Kuehl)**, which would change the way two members of the Regional Water Quality Control Board (RWQCB) are selected, making it possible for one county supervisor and one mayor or city council member to be appointed to the RWQCB, was signed by the Governor on September 3, 2003.

**County-opposed SB 418 (Sher)**, which would repeal and replace the existing law regarding the process by which an agency obtains an agreement from the State Department of Fish and Game for the alteration of a streambed, passed the Senate on September 11, 2003. The bill proceeds to the Governor.

**SB 976 (Ducheny)**, which would amend the Budget Act of 2002 by reverting \$5,713,000 from the Harbors and Watercraft Fund to the Public Beach Restoration Fund, and authorize the transfer of the funds for expenditure pursuant to the California Public Beach Restoration Act, was not heard prior to adjournment.

**SB 1043 (Committee on Budget and Fiscal Review)**, which would require convening a Castaic Lake Task Force, and appropriate \$900,000 from the Harbors and Watercraft Revolving Fund for allocation to the County as a one-time match for the operation of Castaic Lake, was not heard prior to adjournment.

### **Health**

**County-supported AB 83 (Corbett)** failed passage from the Senate and was granted reconsideration. This measure would require each water bottler, water vendor, water hauler and retail water facility to prepare and distribute annual consumer confidence reports, and to be subject to annual inspections by the State Department of Health Services, and reimburse the State for costs incurred for inspections and enforcement activities. It also would specify a method for the distribution of the consumer confidence reports and exempt water haulers from the consumer confidence report requirement.

**County-opposed AB 206 (Richman)** died on the Assembly Appropriations Suspense File. This measure would have enacted the Emergency Health Powers Act to define the powers of both State and local health authorities during a declared public health emergency. It would have conferred broad powers on the Governor during an emergency, such as the authority to suspend the provisions of any regulatory statute prescribing procedures for State business and to use all available resources of the State and local governments.

**County-supported AB 261 (Maddox)** is now a two-year bill. This measure would allow the District Attorney the option to charge illegal pharmaceutical dealers with either a misdemeanor or a felony ("wobbler").

**County-supported AB 946 (Berg)** passed the Senate on September 5, 2003, and now proceeds to the Governor. AB 946 would repeal the requirement that a city or county authorize its needle exchange program through a declaration of a local emergency and instead authorize clean needle and syringe exchange programs upon the action of a

county board of supervisors and the local health officer or health commission, or upon the action of a city council, the mayor, and the local health officer.

**County-sponsored AB 1597 (Runner)** was withdrawn at the request of the County. The measure would have established a new licensing category, known as the multi-service ambulatory care center (MACC), which would have been administered by the State Department of Health Services (DHS). However, this bill is no longer necessary because the County Department of Health Services has reached an administrative agreement with the California Department of Health Services to license the MACC.

**County-supported AB 1676 (Dutra)** obtained Assembly concurrence with Senate amendments on September 11, 2003, and now proceeds to the Governor. AB 1676 would require the blood of a pregnant woman that is currently drawn to test for blood type and hepatitis B, also to be tested for the human immuno-deficiency virus (HIV), unless the woman refuses.

**County-supported AB 1738 (Assembly Health Committee)** obtained Assembly concurrence with Senate amendments on September 2, 2003, and now proceeds to the Governor. Among other provisions, AB 1738 would allow retail food establishments to lower the temperature for holding hot foods from 140 degrees Fahrenheit to 135 degrees Fahrenheit.

**County-supported SB 24 (Figueroa)** obtained Senate concurrence with Assembly amendments on September 11, 2003, and now proceeds to the Governor. SB 24 would create two electronic enrollment processes, the Prenatal Gateway and the Newborn Hospital Gateway, to simplify enrollment of prenatal women and newborn infants into the Medi-Cal Program.

**County-supported SB 50 (Sher)** is now a two-year bill. This measure would declare legislative intent to enact legislation containing a comprehensive statutory framework that would ensure that provisions similar to those in the California Safe Drinking Water Act apply to each water bottler, water vendor, water hauler and retail water facility.

**County-supported SB 130 (Chesbro)** obtained Senate concurrence with Assembly amendments on September 10, 2003, and now proceeds to the Governor. SB 130 would declare legislative intent to achieve a reduction in the use of seclusion and behavioral restraints in mental health facilities, and would require the State to develop technical assistance and training programs to achieve this reduction.

**County-sponsored SB 139 (Brulte)**, which makes clarifying changes to the "Safe Haven Law" to make it easier for a parent to surrender a newborn in a safe environment, was signed by the Governor on July 31, 2003, and will become effective on January 1, 2004.

**County-supported SB 358 (Figueroa)** obtained Senate concurrence with Assembly amendments on September 11, 2003, and now proceeds to the Governor. SB 358 would create the Vocational Nurse Education Program to provide scholarships, educational loans, and loan repayment programs for vocational nursing students.

**County-supported SB 892 (Murray)** obtained Senate concurrence with Assembly amendments on September 11, 2003, and now proceeds to the Governor. SB 892 would require every public and private school to have restroom facilities that are open during school hours, maintained and cleaned regularly, fully operational, and stocked with soap and paper supplies.

**County-supported SB 921 (Kuehl)** is now a two-year bill. This measure would establish the California Health Care System and make all California residents eligible for health care benefits under this single-payer system.

#### **Justice and Public Safety**

**County-supported AB 26 (Pacheco and Leslie)**, which would require the Department of Justice (DOJ) to provide information on the Internet regarding registered sex offenders who are serious or high risk offenders, and appropriate an unspecified sum from the General Fund to the DOJ to create the website, remains in the Assembly Public Safety Committee.

**County-supported AB 74 (Mountjoy)**, which would make it a felony or a misdemeanor to evade arrest and increase penalties for evading arrest where injury is caused, failed passage in the Assembly Public Safety Committee.

**County-supported AB 102 (Pacheco)**, which would amend the current Unfair Competition Law to curb private attorney filing of suits that lack merit, and provide relief from frivolous lawsuits filed by trial attorneys against businesses in California, failed passage in the Assembly Judiciary Committee.

**County-supported AB 327 (Runner)**, which would authorize a city or county to assess an additional penalty of \$100 for violations of disabled parking restrictions and require that the additional revenue be used to offset the cost of establishing a disabled parking enforcement program, was sent to the Governor on September 11, 2003.

**County-supported AB 355 (Pacheco)**, which would amend the definition of "escape from custody" by a juvenile to include "escape, or attempted escape from a regional facility, a privately owned facility, or from a field trip site," was signed by the Governor on September 3, 2003 and becomes effective on January 1, 2004.

**County-opposed, unless amended, AB 435 (Matthews)**, which would, among other provisions, shift responsibility for monitoring traffic schools from the Superior Court to the State Department of Motor Vehicles (DMV), and prohibit the DMV from contracting



with any agency that has a contract with the courts to provide in-court administrative services, remains in the Assembly Transportation Committee.

**County-opposed AB 834 (LaSuer)**, which would require police agencies to destroy complaints and reports or findings relating to complaints against personnel, after a five-year retention period, failed passage in the Assembly Public Safety Committee.

**County-supported AB 936 (Reyes)**, which would create a new crime of trespass when a defendant knowingly enters, or remains in a neonatal unit, maternity ward, or birthing center located in a hospital or clinic without lawful business to pursue, was chaptered on September 12, 2003 and will become effective on January 1, 2004.

**County-sponsored AB 1153 (Bermudez)**, which would criminalize the unlawful or unauthorized use, manufacture or sale of any official State, county, city, city and county or agency badge, and/or associated photographic identification cards with two exceptions: 1) the use of a badge in a fictitious or historical depiction of a public officer or employee; and 2) a badge supplied by a recognized employee organization that represents firefighters, remains in the Assembly Concurrence File, and is a two-year bill.

**County-supported AB 1313 (Parra)**, which would extend the provisions of Megan's Law that requires sex offenders to register with local law enforcement, from January 1, 2004, to January 1, 2007, remains on the Assembly Concurrence File and is a two-year bill.

**County-supported AB 1432 (Firebaugh)**, which would eliminate the provisions of California law which bar California prosecution based on foreign convictions or acquittals, and provide credit for actual time served in a foreign country for the same crime, remains in the Assembly Appropriations Committee Suspense File.

**County-supported AB 1479 (Chu)**, which would delete the Department of Motor Vehicles exclusive control over the monitoring of the traffic violator school (TVS) program and, continue the courts' control over the monitoring of the TVS program, is awaiting the Governor's action.

**County-support and amend AB 1618 (Firebaugh)**, which would require railroad companies to develop an approved protocol for rapid communications with the State Office of Emergency Services, the California Highway Patrol, and designated local public safety agencies by March 1, 2004, remains on the Assembly Concurrence File, and is a two-year bill.

**County-supported SB 919 (Ortiz)**, which would add code enforcement officers, including any person who has enforcement authority for health, safety, and welfare requirements, to the list of specified officers, or other persons protected under the Penal Code, and extends coverage under the protection statute if a person commits assault or battery against a code enforcement officer, such as the County's Environmental Health

Specialists, was signed by the Governor on September 3, 2003, and will become effective on January 1, 2004.

**County-supported SJR 6 (Soto)**, which would call upon the Congress to provide additional funding to the states for first responder training as part of homeland security funding, was sent to the Governor on September 11, 2003 after the Senate concurred with Assembly amendments by a vote of 27 to 9.

### **Land Use and Planning**

**County-opposed AB 1320 (Dutra)**, which would change redevelopment law relating to transit villages by: 1) allowing local governments to amend existing redevelopment projects, or establish new Transit Village Redevelopment Plans (TVRP) centered on a rail transit station extending up to one-half mile from the rail station; 2) making affordable housing a "characteristic" to be addressed by a TVRP; 3) creating new "blight" criteria for TVRP projects; and 4) extending the tax increment benefit to 60 years and exempt or cap TVRP's obligation to pass-through a share of tax growth to cities and counties, remains in the Assembly Housing and Community Development Committee.

**County-opposed SB 18 (Burton)**, which would create a procedure in the California Environmental Quality Act for the Native American Heritage Commission to determine whether a proposed project may adversely change a traditional tribal cultural site and to recommend project changes and mitigation measures to avoid or reduce the impact of adverse changes, was denied passage by the Assembly on September 13, 2003, however, it was noticed for reconsideration on January 4, 2004.

**County-opposed SB 465 (Soto)**, which would amend existing redevelopment law to: 1) allow local governments to establish new Transit Village Redevelopment Plans (TVRP) centered on a rail transit station, and extending up to one-half mile from the rail station; 2) make affordable housing a "characteristic" to be addressed by a TVRP; 3) create new "blight" criteria for TVRP projects; and 4) extend the tax increment benefit to 60 years, remains in the Senate Appropriations Suspense File.

### **Mental Health**

**County-supported, if amended, AB 348 (Chu)**, was signed by the Governor on July 22, 2003, and will become effective on January 1, 2004. AB 348 allows a psychologist, in addition to a psychiatrist, to release a patient from an involuntary commitment when the psychologist is responsible for the continued treatment of the patient, and when the decision to release is based on their personal observation. The County unsuccessfully sought an amendment to require a physical check-up to determine that the patient does not have a medical condition in addition to a mental disorder.

**County-supported AB 380 (Steinberg)** is now a two-year bill. This measure would require the restructuring of the Children's System of Care program to include children's outcome measurements and would require that the \$69 million included in the State

Budget for the AB 3632 program be used exclusively for the support of county mental health services.

### **Revenue and Taxation**

**County-opposed AB 1690 (Leno)**, which would authorize a city or county to form a "public safety finance agency" to finance supplemental fire protection, police or sheriff services, and/or capital improvements, and further authorize a local government that does so to levy a local income tax for general purposes, subject to approval by a majority of voters, remains in the Senate Appropriations Committee, and is a two-year bill.

**County-sponsored SB 726 (Romero)** is now a two-year bill. This measure would authorize a county board of supervisors to place on the ballot a local alcohol tax on the sale of beer, wine and distilled spirits when they are sold for on-site consumption.

**County-supported SB 5X (Romero)**, which would have established a five-cent fee per alcoholic beverage distributed by a wholesaler to a retailer for consumption in the State of California to fund local emergency medical services providers, died in the Assembly Health Committee.

### **Social Services**

**County-sponsored AB 44 (Pacheco)** is now a two-year bill. This measure would address technical issues regarding the notification of various parties of juvenile court proceedings to determine, review, revise or terminate the status of a child as a dependent child of the court.

**County-supported AB 231 (Steinberg and Lieber)**, which exempts one vehicle as a resource for Food Stamps and gives counties the flexibility to exempt a household from complying with face-to-face interview requirements for Food Stamps at application and recertification, is on the Governor's Desk.

**County-supported AB 408 (Steinberg)**, which seeks to ensure that no child be emancipated from the foster care system without a connection to a committed and caring adult, is on the Governor's Desk.

**County-supported AB 458 (Chu)**, which provides that foster children and persons providing care and services to foster children have the right to fair and equal access to all available services, placement, care, treatment and benefits, and protection from discrimination or harassment, was signed by the Governor on September 8, 2003 and becomes effective January 1, 2003.

**County-supported AB 490 (Steinberg)**, which seeks to ensure all students in foster care have the opportunity to meet the same academic achievement standards as other students, and are placed in the least restrictive educational program with access to the same academic resources and services as other pupils, is on the Governor's Desk.

**County-sponsored AB 1469 (Negrete-McLeod)**, which would revise provisions regarding the timeline for specified reports to parties in dependency matters, is on the Governor's Desk.

**County-opposed AB 1470 (Vargas)**, which authorizes IHSS wage and benefit increases by voter initiative, remains on the Senate Appropriations Suspense File and is now a two-year bill.

**County-supported AB 1683 (Pavley)**, which would require child day care facilities to post copies of licensing reports, including reports from annual site visits and reports of substantiated complaints against the facility in a conspicuous place in order to provide parents with necessary information regarding the well-being of their children, is on the Governor's Desk.

**County-sponsored SB 59 (Escutia)**, which shortens the amount of time on adoption appeals, was signed by the Governor on September 2, 2003.

### Transportation

**County-supported SB 957 (McClintock)**, which would define a transportation gridlock emergency as a condition that requires extraordinary State action and authorizes the Governor to declare a state of emergency when any highway has an average daily vehicle delay that exceeds 3,000 vehicle hours per day, failed passage in the Senate Transportation Committee.

**County-supported SJR 7 (Karnette)**, which would request the President and the Congress to maintain the present Federal restrictions on truck lengths and weights included in the Transportation Equity Act for the 21<sup>st</sup> Century, and resist any changes in subsequent legislation, was chaptered on July 22, 2003.

**County-supported SR 23 (Murray)**, which would call upon the United States Navy and Department of Transportation to preserve a national aviation asset by approving the City of Los Angeles's offer to lease the El Toro marine base and operate the facility as a civilian passenger and cargo airport, remains in the Senate Rules Committee.

### Miscellaneous

**County-opposed AB 31 (Runner)**, which would re-appropriate \$203 million in FY 2003-04 and distribute the funds to schools based on actual pupil attendance, remains in the Assembly Education Committee.

Each Supervisor  
September 15, 2003  
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We will continue to keep you advised.

DEJ:GK:IGR:ib

Attachment

c:     Executive Officer, Board of Supervisors  
        County Counsel  
        Local 660  
        All Department Heads  
        Legislative Strategist  
        Coalition of County Unions  
        California Contract Cities Association  
        Independent Cities Association  
        League of California Cities

**COUNTY OF LOS ANGELES - CHIEF ADMINISTRATIVE OFFICE**  
**STATUS OF BILLS OF INTEREST TO THE COUNTY**  
**2003-04 LEGISLATIVE SESSION**

These are bills we have pursued in Sacramento pursuant to Board actions or as reported in bill policy memoranda.

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
AB 26	Pacheco, Leslie	Support (Board Action: 3/11/03)	Would require the Department of Justice (DOJ) to provide information on the Internet regarding registered sex offenders who are serious or high risk offenders and appropriate an unspecified sum from the General Fund to the DOJ to create the website.	Assembly Public Safety
AB 28	Jackson, Pavley	No Position	NOW: Was amended do make numerous changes to the California Beverage Container Recycling and Litter Reduction Act.	Governor's Desk
		Support (Board Action: 4/8/03)	PREVIOUSLY: Would have enacted the Firefighting Hazardous Materials Response Team Equipment Act of 2003, which would have provided funding to purchase hazardous material response apparatus and equipment for State and local agencies. This measure would have allowed the Director of the State Office of Emergency Services to implement the program subject to the legislature's appropriation of Federal funds for these purposes. It also clarified that the equipment may have been used in a manner consistent with the Master Mutual Aid Agreement.	
AB 31	Runner	Oppose (Board Action: 1/28/03)	Would re-appropriate \$203 million in FY 2003-04 and distribute the funds to schools based on actual pupil attendance.	Assembly Education
AB 44	Pacheco	County-Sponsored	Would address technical issues regarding the notification of various parties of juvenile court proceedings to determine, review, revise or terminate the status of a child as a dependent child of the court. Urgency measure.	Assembly (Concurrence in Senate Amendments)
AB 55	Correa	Support if Amended to provide more fiscal and administrative control to county boards of supervisors (Board Action: 6/3/03)	Would amend the 1937 County Employee Retirement Act and allow an employee to purchase up to 5 years of service credit without any requirement that the credit reflect actual service. To be eligible, the employee must have completed at least five years of service and purchase this time by a lump sum payment within 120 days following retirement or through installments over a period of up to 10 years.	Chapter 261 of 2003
AB 74	Mountjoy	Support (Board Action: 1/14/03)	Would make it a felony or a misdemeanor to evade arrest and increase penalties for evading arrest where injury is caused.	Failed Passage in Assembly Public Safety

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
AB 83	Corbett	Support (Board Memo: 5/30/03)  Support and Amend to specify a method for the distribution of the consumer confidence report and exempt water haulers from the consumer confidence report requirement (Board Action: 2/11/03)	NOW: Was amended to also specify a method for the distribution of the consumer confidence report and exempt water haulers from the consumer confidence report requirement.  PREVIOUSLY: Would have required each water bottler, water vendor, water hauler and retail water facility to prepare and distribute annual consumer confidence reports, be subject to annual inspections by the State Department of Health Services, and reimburse the State for costs incurred for inspections and enforcement activities.	Failed passage in Senate Appropriations; Reconsideration granted
AB 87	Bogh	Support (Board Memo: 4/11/03)	Would, in the event of a budget impasse, provide a continuous appropriation to the Workers' Compensation for Disaster Service Workers Fund to pay workers' compensation for injuries incurred by disaster service volunteers. Urgency measure.	Assembly Appropriations Suspense File
AB 102	Pacheco	Support (Board Action: 3/11/03)	Would amend the current Unfair Competition Law to curb private attorney abuse of filing suits that lack merit and provide relief from frivolous lawsuits filed by trial attorneys against businesses in California.	Failed passage in Assembly Judiciary
AB 120	Wyland	Support (Board Action: 3/18/03)	Would appropriate \$1.1 million from Proposition 50 bond funds eradicate Caulerpa taxifolia, an extremely evasive saltwater alga that is a serious threat to the marine ecosystem, from the Aqua Hedionda Lagoon in San Diego County.	Failed passage in Assembly Environmental Safety and Toxic Materials
AB 136	Kehoe	Oppose (Board Memo: 3/4/03)	NOW: Would provide an extended workers' compensation leave to police officers and sheriffs as well as firefighters.  PREVIOUSLY: Would have provided firefighters with a tax-free, two-year leave of absence without loss of salary in lieu of temporary disability for a work-related injury. Existing law provides for a one-year tax free leave of absence.	Assembly Appropriations Suspense File
AB 185	Horton	Support if Amended to provide funding for the positions (Board Memo: 9/12/03)  Support if Amended to provide funding for the positions (Board Memo: 6/23/03)	NOW: Was amended to prohibit the State Department of Food and Agriculture from entering into cooperative agreements with the County, beginning in FY 2003-04, unless at least 20 percent of the agricultural aides performing the work are permanent employees.  PREVIOUSLY: Would have required Los Angeles County to make temporary positions in the Agricultural Commissioner/Weights and Measures Department Insect Detection Program full-time, permanent positions.	Governor's Desk

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
AB 206	Richman	Oppose (Board Memo: 5/20/03)	Would enact the Emergency Health Powers Act and define the powers of both State and local health authorities during a declared public health emergency. It would have conferred broad powers on the Governor during an emergency, such as the authority to suspend the provisions of any regulatory statute prescribing procedures for State business and the authority to use all available resources of the State and local governments.	Assembly Appropriations Suspense File
AB 231	Steinberg, Lieber	Support (Board Memo: 9/10/03)  Oppose Unless Amended to remove the provision ending the use of SFIS (Board Memo: 3/20/03)	NOW: Still does the same but was amended to remove the provision ending use of the Statewide Fingerprint Imaging System (SFIS).  PREVIOUSLY: Would have: 1) exempted one vehicle as a resource for Food Stamps; 2) repealed the requirement of statewide fingerprint imaging to determine eligibility for CalWORKs and Food Stamps; and 3) given counties the flexibility to exempt a household from complying with face-to-face interview requirements for Food Stamps at application and recertification.	Governor's Desk
AB 261	Maddox	Support (Board Action: 2/25/03)	Would allow the District Attorney the option to charge illegal pharmaceutical dealers with either a misdemeanor or a felony ("wobbler").	Assembly Appropriations Suspense File
AB 327	Runner	Support (Board Memo: 7/22/03)  Support (Board Action: 5/20/03)	NOW: Would eliminate the increase in the minimum fine and, instead authorize a city or county to assess an additional penalty of \$100 for violation of disabled parking restrictions and require that the additional revenue be applied to offset the cost of establishing a disabled parking enforcement program.  PREVIOUSLY: Would have increased the minimum fine from \$250 to \$500 for improper use of disabled persons' distinguishing license plates or placards, or illegally parking in a stall or space designated for disabled persons.	Governor's Desk
AB 348	Chu	Support and Amend to require a physical check-up to determine that the patient does not have a medical condition in addition to a mental disorder (Board Action: 4/22/03)	Would allow a psychologist, in addition to a psychiatrist, to release a patient from an involuntary commitment when the psychologist is responsible for the continued treatment of the patient, and when the decision to release is based on their personal observation. This would improve the quality of care by eliminating unnecessary time in commitment for patients whose condition has improved to the point where continued commitment is unwarranted.	Chapter 94 of 2003
AB 355	Pacheco	Support (Board Memo: 4/4/03)	Would amend the definition of escape from custody by a juvenile to include escape or attempted escape from a regional facility, a privately owned facility, or from a field trip site.	Chapter 263 of 2003



<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
AB 380	Steinberg	Support (Board Memo: 4/1/03)	Would require each county that participates in the Children's System of Care program to collect and annually provide information to the State Department of Mental Health that demonstrates the effectiveness of the program based on outcomes achieved for individual participants. It also requires that the \$69 million included in the State Budget for the AB 3632 program be used exclusively for the support of county mental health services and prohibits the funds to be offset by the State Controller.	Senate Inactive File
AB 408	Steinberg	Support and Amend to resolve County concerns regarding potential liability and a phased approach to implementation (Board Action: 5/13/03)	Would seek to ensure that no child be emancipated from the foster care system without a connection to a committed and caring adult by requiring social workers to make additional reports at various times throughout the dependency process regarding efforts to identify and maintain a child's relationships with individuals who are important to the child. This measure is double-joined to AB 579 (Chu), AB 490 (Steinberg), AB 1151 (Dymally), and SB 591 (Scott).	Governor's Desk
AB 431	Mountjoy	Support (Board Memo: 3/4/03)	Would establish a burden of proof under workers' compensation for injuries to be classified as job-related. Individuals filing cumulative injury claims would have to prove by a preponderance of evidence that the injury was substantially caused by actual employment activities.	Failed passage in Assembly Insurance; Reconsideration granted
AB 435	Matthews	Oppose Unless Amended to authorize the Court to contract-out the monitoring of traffic violator schools to the Housing Authority or other organizations (Board Memo: 4/11/03)	Would make various changes to traffic violator school curriculum, authorize schools to offer the curriculum on the internet, and shift responsibility for monitoring traffic schools from the Superior Court (Court) to the State Department of Motor Vehicles (DMV). This measure would prohibit the DMV from contracting with any agency that has a contract with the courts to provide in-court administrative services. The County of Los Angeles Housing Authority is currently under contract with the courts to provide in-court administrative services and receives \$600,000 to monitor traffic violator schools.	Assembly Transportation
AB 458	Chu	Support (Board Action: 7/8/03)	Would provide that foster children (and persons providing care and services to foster children) have the right to fair and equal access to all available services, placement, care, treatment and benefits, and protection from discrimination or harassment on the basis of actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, sex, sexual orientation, gender identity, mental or physical disability, or HIV status. Also requires training on the expanded rights to be included within existing training for licensed foster parents, relative caregivers, group home administrators and licensing staff.	Chapter 331 of 2003

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
AB 490	Steinberg	Support and Amend to seek provisions to avoid it becoming an unfunded mandate (Board Memo: 8/1/03)	NOW: Still does the same thing but was recently amended to strike language requiring the State Department of Education and local educational agencies to provide, arrange, and pay for the child's transportation. This measure is now silent on the issue of which agency/individuals will ultimately be held responsible for transportation costs. This measure is now double-joined to AB 408 (Steinberg), AB 1151 (Dymally), and SB 591 (Scott).	Governor's Desk
		Support (Board Action: 4/22/03)	PREVIOUSLY: Would have sought to ensure all students in foster care had the opportunity to meet the same academic achievement standards as other students, and were placed in the least restrictive educational program with access to the same academic resources and services as other pupils.	
AB 496	Lowenthal	No Position	NOW: Was amended to extend an exemption from State and local sales and use taxes on petroleum products, known as "bunker fuel", until 2014.	Senate Floor
	Correa	Support if Amended to expand conservancy board to 15 voting members, include a County Supervisor and a representative from the San Gabriel Valley COG, and prohibit the SARC from acquiring the power to use eminent domain (Board Action: 5/13/03)	PREVIOUSLY: Would have established the Santa Ana River Conservancy (SARC) to acquire and direct the management of public lands in the Santa Ana River watershed with a governing board of 13 voting members and nine non-voting members. The SARC would have had the ability to acquire property but such purchases must have been made from willing sellers, at fair market value, and must have been mutually beneficial to the seller and SARC. The SARC and the State Public Works Board would have been prohibited from exercising the power of eminent domain for land acquisition.	
AB 578	Leno	Support (Board Memo: 8/18/03)	Would create the Electronic Recording Delivery System Act of 2003 which would authorize counties, upon approval of their Board of Supervisors and certification by the Attorney General, to record: 1) real property documents in the form of a "digitized electronic record"; and 2) an instrument of reconveyance, a substitution of trustee, or an assignment of deed of trust in the form of a "digital electronic record". Would also create a pilot project to allow 12 counties (including Los Angeles) to record any real property document through a digital electronic record. Urgency measure.	Senate Judiciary
AB 749	Matthews	Oppose (Board Memo: 5/9/03)	Would repeal the requirement of statewide fingerprint imaging to determine eligibility for CalWORKs and Food Stamps.	Assembly Human Services
AB 834	LaSuer	Oppose (Board Action: 4/22/03)	Would change State law to require police agencies to destroy complaints and reports or findings relating to complaints against personnel after a five year retention period.	Failed passage in Assembly Public Safety

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
AB 936	Reyes	Support (Board Memo: 6/10/03)	NOW: Was amended to delete the language creating the crime of baby stalking, and instead creates a new crime of trespass related to stalking, which will occur when a defendant knowingly enters or remains in a neonatal unit, maternity ward, or birthing center located in a hospital or clinic without lawful business to pursue. This measure is co-joined with AB 1263 (Benoit) and SB 993 (Poochigian).	Chapter 355 of 2003
		Support (Board Action: 4/1/03)	PREVIOUSLY: Would have amended the Penal Code to include protections against "baby stalking", which was defined as any person who loiters, prowls, or wanders about, and refuses to leave, or fails to leave a neonatal unit, maternity ward, or birthing center located in a hospital or clinic when requested to leave by authorized personnel.	
AB 946	Berg	Support (Board Memo: 7/7/03)	Would repeal the requirement that a city or county authorize its needle exchange program through a declaration of a local emergency and instead authorize clean needle and syringe exchange programs upon the action of a county board of supervisors, and the local health officer or health commission, or upon the action of a city council, the mayor, and the local health officer.	Governor's Desk
AB 968	Correa	No Position	NOW: Was amended to state legislative intent to improve the workers' compensation system by promoting the efficient delivery of high-quality appropriate medical care.	Conference Committee Report pending adoption
		Oppose (Board Memo: 4/4/03)	PREVIOUSLY: Would have created a job-related presumption for workers' compensation or disability retirement for an injury or death as a result of a vaccination or medication given to prevent infection from a biochemical substance.	
AB 1051	Goldberg	Oppose Unless Amended to provide that it has no retroactive effect and keep intact the existing "nondiscriminatory" requirement relating to capital facility fees (Board Memo: 5/15/03)	Would eliminate the "nondiscriminatory" rate requirement with regard to "capital facility fees". Existing law provides that capital facility fees charged to public agencies (such as the County) by public utilities such as the Los Angeles Department of Water and Power (LADWP) must be nondiscriminatory, which means that LADWP is only allowed to charge the County its pro-rata share of LADWP capital costs, based on the County's power usage. This measure would relieve LADWP of its current legal duty not to charge the County in excess of the County's pro-rata share of LADWP capital costs.	Governor's Desk
AB 1141	Diaz	Oppose (Board Memo: 5/30/03)	Would amend the Meyers-Milias-Brown Act relating to employee-employer relations and agency shop agreements to allow confidential and supervisory employees to be included in an agency shop.	Chapter 311 of 2003

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
AB 1151	Dymally	No Position  Oppose (Board Memo: 4/28/03)	NOW: Was amended to declare legislative intent that nothing in the <i>Terrell R.</i> decision shall be held to change the standards of liability and immunity for injuries to children in protective custody that existed prior to that decision.  PREVIOUSLY: Would have made several changes to existing law regarding county and social worker liability, including, but not limited to overturning the decision of <i>Terrell R. v. County of Los Angeles (2002)</i> . Existing law immunizes counties and their social workers from liability for discretionary placement decisions. In <i>Terrell R.</i> the court held that the County and social worker were not civilly liable for injuries occurring to a child while in foster care.	Governor's Desk
AB 1153	Bermudez	County-Sponsored	Would criminalize the unlawful or unauthorized use, manufacture or sale of any official State, county, city, city and county or agency badge and/or associated photographic identification cards with two exceptions: 1) the use of a badge in a fictitious or historical depiction of a public officer or employee; and 2) a badge supplied by a recognized employee organization that represents firefighters. Urgency measure.	Assembly (Concurrence in Senate Amendments)
AB 1154	Frommer	No Position  Support (Board Memo: 5/28/03)	NOW: Was amended to appropriate State funding to pay for claims against the State.  PREVIOUSLY: Would have exempted the Office of Statewide Health Planning and Development (OSHPD) positions, which affect timely review of hospital construction plans, from any State hiring freezes and curtailments, and authorized OSHPD to increase staffing financed by the Hospital Building Fund. Urgency measure.	Senate Appropriations
AB 1313	Parra	Support (Board Memo: 9/11/03)	Would extend the sunset date of Megan's Law, regarding registration of sex offenders, from January 1, 2004 to January 1, 2007, and bring California law into compliance with Federal law by authorizing campus police to release printed information regarding the presence of a registered sex offender on campus to members of the campus community. Urgency measure.	Assembly refused to Concur in Senate Amendments; Reconsideration granted
AB 1314	Parra	Support and Amend to eliminate the sunset date and to require disclosure of the work and residential addresses of serious, or high-risk sex offenders (Board Memo: 7/22/03)	Would extend the provisions of Megan's Law that requires sex offenders to register with local law enforcement agencies, from January 1, 2004, to January 1, 2007. The law also authorizes a law enforcement agency to notify citizens if a child or other person, that the offender is likely to encounter, may be at risk from serious or high-risk sex offenders and requires the State Department of Justice to operate a 900 telephone number that the public may call to inquire whether a named individual is listed as a registered sex offender.	Senate Appropriations Suspense File

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
AB 1320	Dutra	Oppose (Board Memo: 4/11/03)	Would change redevelopment law relating to transit villages by: 1) allowing local governments to amend existing redevelopment projects or establish new Transit Village Redevelopment Plans (TVRP) centered on a rail transit station, extending up to one-half mile from the rail station; 2) making affordable housing a "characteristic" to be addressed by a TVRP; 3) creating new "blight" criteria for TVRP projects; and 4) extending the tax increment benefit to 60 years and exempt or cap TVRP's obligation to pass-through a share of tax growth to cities and counties.	Assembly Housing and Community Development
AB 1324	Steinberg	Oppose (Board Memo: 4/4/03)	Would provide medical benefits under workers' compensation for dependents of law enforcement or firefighting employees who contract a blood borne disease from exposure to the employee. If the dependent elects to receive workers' compensation benefits, they forfeit their rights to file any civil claims.	Conference Committee
AB 1362	Kehoe	Oppose (Board Memo: 9/11/03)	Would extend compensation disability benefits under Section 4850 of the Labor Code to provide police officers, sheriffs, or firefighters with a tax-free, two-year leave of absence without loss of salary in lieu of temporary disability for a work-related injury. Existing law provides for a one-year tax-free leave of absence.	Senate Appropriations
AB 1405	Wolk	Support (Board Memo: 7/9/03)	NOW: Would encourage the California Environmental Protection Agency and the Resources Agency to provide assistance and grants to those who choose to participate in watershed enhancement and restoration.	Governor's Desk
		Support (Board Memo: 4/16/03)	PREVIOUSLY: Would have enacted the California Watershed Protection and Restoration Act and declared the policy of the State to endorse voluntary local, collaborative watershed partnerships as being in the State's interest in terms of effectiveness, citizen involvement and community responsibility.	
AB 1432	Firebaugh	Support (Board Action: 6/3/03)	Would eliminate provisions of California law which bar California prosecution based on foreign convictions or acquittals, but at the same time, would provide credit for actual time served in a foreign country for the same crime.	Assembly Appropriations Suspense File
AB 1469	Negrete-McLeod	County-Sponsored	Would revise provisions regarding the timeline for providing specified reports to parties in dependency matters.	Governor's Desk

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
AB 1470	Vargas	Oppose (Board Memo: 3/12/03)	Would eliminate the Board of Supervisors authority to increase wages and benefits for In-Home Supportive Services (IHSS) workers by authorizing an increase in IHSS wages and benefits by voter initiative. Certain criteria must be met before the initiative can be placed on the ballot, including: 1) a requirement that the employer of record and the employee organization have reached an impasse and that impasse procedures have been exhausted; and 2) the appointment of a fact finder to determine the amount of county funds available, outside of realignment accounts, to pay for the proposed wage increase.	Senate Appropriations Suspense File
AB 1479	Chu	Support (Board Memo: 7/9/03)	Would delete the Department of Motor Vehicles exclusive control over the monitoring of the traffic violator school (TVS) program and continue the courts' control over the monitoring of the TVS program. Under current law, the courts are responsible for monitoring the TVS program and have contracted with the Los Angeles Housing Authority to monitor certain TVS programs.	Governor's Desk
AB 1480	Richman	Support (Board Memo: 4/25/03)	Would make significant changes in workers' compensation law, including requiring an applicant for employment, upon the request of an employer, to disclose whether he or she has been convicted of committing any workers' compensation fraud or been convicted of violating other specified unlawful acts relating to fraud.	Assembly Insurance
AB 1481	Richman	Support (Board Memo: 4/4/03)	Would require that all reports and medical exams submitted to the State Workers' Compensation Appeals Board to determine employee disability or compensation awards address the percentage that the work-related illness, disease or injury contributed to the employee's disability or death and provide that permanent disability or death benefits are not payable unless the work-related injury contributed at least 10 percent to the cause or disability when compared to all other causes in total.	Assembly Insurance
AB 1482	Richman	Support (Board Memo: 4/4/03)	Would require that the Administrative Director of the State Department of Labor, Workers' Compensation Division, include outpatient surgery facilities and emergency rooms in the official fee schedule by January 1, 2005 and requires that all medical services provided to the injured worker from the date of injury be subject to the official fee schedule regardless of when the injury is accepted as being work related. The workers' compensation fee schedule is tied to the Medicare schedule.	Assembly Insurance

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
AB 1483	Richman	No Position	NOW: Was amended to state legislative intent to improve the workers' compensation system by promoting the efficient delivery of high-quality appropriate medical care.	Conference Committee
		Support (Board Memo: 4/23/03)	PREVIOUSLY: Would have required the State to develop an annual training program for claims representatives and disability evaluators.	
		Support (Board Memo: 4/4/03)	INITIALLY: Would have established a mandatory certification program for all physicians that treat or evaluate workers' compensation claims and would have been effective starting January 1, 2006.	
AB 1531	Longville	Support (Board Memo: 8/28/03)	NOW: Was amended to require the State to pay expenses incurred by local elections official for the October 7, 2003 special recall election.	Senate Desk
		Oppose (Board Memo: 4/1/03)	PREVIOUSLY: Would have revised existing primary election laws to require three elections, two primaries and one general, in presidential election years.	
AB 1579	Cogdill, Richman	No Position	NOW: Was amended to state legislative intent to improve the workers' compensation system by promoting the efficient delivery of high-quality appropriate medical care.	Conference Committee
		Support (Board Memo: 5/14/03)	PREVIOUSLY: Would have extended prohibitions on physician referrals in workers' compensation cases to self or family owned outpatient surgical services and suppliers.	
AB 1587	Public Employees & Retirement	Oppose (Board Memo: 9/11/03)	Would prohibit 1937 Retirement Act Counties from adopting any retirement benefit changes that would not apply to all members, and would also modify the Meyers-Millias-Brown Act relating to the negotiation of retirement benefits.	Governor's Desk
AB 1597	Runner	County-Sponsored	Would establish a new licensing category, known as the multi-service ambulatory care center (MACC) that would be administered by the State Department of Health Services (DHS). Urgency measure. However, this bill is no longer necessary because County DHS has reached an administrative agreement with the State DHS to license the MACC.	Assembly Health
AB 1608	Liu	Support (Board Action: 4/29/03)	Would allow an individual who is 17 years old and will be 18 years old by the date of the next general election, to register and vote in any intervening primary or special election.	Assembly Elections, Redistricting and Constitutional Amendments

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
AB 1618	Firebaugh	Support and Amend to require rail companies to report such events first to the Sheriff or local police as appropriate, and then to the OES (Board Memo: 8/1/03)	Would require railroad companies in California to develop an approved protocol for rapid communication with the State Office of Emergency Services, the California Highway Patrol and designated local agencies in an endangered area during emergency situations where there is a runaway train by March 1, 2004. Urgency measure.	Assembly (Concurrence in Senate amendments)
AB 1676	Dutra	Support (Board Memo: 7/3/03)	Would require the blood of a pregnant woman that is currently drawn to test for blood type and hepatitis B to also be tested for the human immunodeficiency virus (HIV), unless the woman refuses.	Governor's Desk
AB 1683	Pavley	Support (Board Action: 8/12/03)	Would require child day care facilities to post copies of licensing reports, including reports from annual site visits and reports of substantiated complaints against the facility in a conspicuous place in order to provide parents with necessary information regarding the well-being of their children.	Governor's Desk
AB 1690	Leno	Oppose (Board Memo: 8/20/03)	NOW: Was amended to re-instate County-opposed provisions which would authorize a local personal income tax to benefit public safety, including local emergency and trauma care.	Senate Appropriations
		No Position	PREVIOUSLY: Was amended to become an intent bill to examine allowing local governments to impose an income tax.	
		Oppose (Board Action: 6/24/03)	INITIALLY: Would have authorized a city or county to form a "public safety finance agency" to finance supplemental fire protection, police or sheriff services and/or capital improvements, and further authorized a local government that does so to levy a local income tax for general purposes, subject to approval by a majority of voters. Would have designated the governing body of a city, county, or city and county that forms a public safety finance agency as the governing body of the public safety finance agency.	
AB 1716	Human Services	Support (Board Memo: 6/13/03)	Would reinstate a mechanism temporarily used during the 1990's to restore base realignment funding for the caseload-driven portion of the Social Services Account in any year following a year in which revenues are not sufficient to fully fund the base, resulting in a permanent reduction in the base. Would allow for a one-time supplement of the base and would expire after the base is restored.	Governor's Desk
AB 1738	Assembly Health	Support (Board Memo: 4/25/03)	Would lower the hot holding temperature requirement for the retail food industry from 140 degrees F to 135 degrees F.	Governor's Desk



<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
ACA 1	Longville	Support only the provision of the bill that provides the budget and any related legislation may be passed by majority vote (Board Action: 2/11/03)	Would provide that the State budget and any related legislation may be approved by a majority vote instead of a two-thirds vote and requires legislators to forfeit their pay until the budget is passed. The County does not have a position of the provision of ACA 1 that requires legislators to forfeit their pay until the budget is passed.	Assembly Budget
ACR 14	Nakano	Support (Board Action: 2/18/03)	Would declare February 19, 2003 as a Day of Remembrance to increase public awareness of the events surrounding the internment of Japanese Americans during WWII and would encourage the annual observance of this day in subsequent years.	Resolution Chapter 5 of 2003
SB 1	Speier	Support (Board Action: 2/25/03)	Would prohibit banks, insurance companies and other financial businesses from providing personal information about customers such as salary, bank account transaction, credit card information and purchases, to telemarketing and other third parties, without consent.	Chapter 241 of 2003
SB 2	Burton, Speier	Support (Board Action: 4/29/03)	Would create the State Health Purchasing Program and require health benefits to be provided directly by employers or through the program, which is projected to cover more than 1 million uninsured.	Conference Committee Report pending adoption
SB 12	Bowen	Support (Board Action: 3/4/03)	Would make it a crime to send unsolicited commercial emails from California or to any email address in the State and allow individuals the right to sue spammers for up to \$500 per violation.	Assembly Business and Professions
SB 18	Burton	Oppose (Board Memo: 8/27/03)	Would create a procedure in the California Environmental Quality Act for the Native American Heritage Commission to determine if a proposed project adversely changes a traditional tribal cultural site and to recommend project changes and mitigation measures to avoid or reduce the impact of adverse changes.	Failed passage on Assembly Floor; Reconsideration granted
SB 21	Machado	Support (Board Memo: 5/15/03)	Would require various State agencies to establish guidelines for implementing Proposition 50, the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002, including requiring the guidelines to provide for an open, transparent competitive grant process, with projects evaluated solely on the basis of merit and need.	Senate Appropriations Suspense File
SB 24	Figueroa	Support (Board Memo: 5/15/03)	Would create two electronic enrollment processes, the Prenatal Gateway and the Newborn Hospital Gateway, to simplify enrollment of prenatal women and newborn infants into the Medi-Cal Program.	Governor's Desk

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
SB 40	Alpert	Support (Board Memo: 3/4/03)	Would enact the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2004 for submission to the voters at the 2004 direct primary election. It would authorize issuance of \$2 billion in State general obligation bonds to finance library construction and renovation.	Senate Appropriations Suspense File
SB 50	Sher	Support (Board Action: 2/11/03)	Would declare legislative intent to enact legislation containing a comprehensive statutory framework that would ensure that provisions similar to those in the California Safe Drinking Water Act apply to each water bottler, water vendor, water hauler and retail water facility.	Senate Desk
SB 59	Escutia	Support (Board Action: 2/11/03) and County-Sponsored	Would establish a writ procedure for the review of all placement orders affecting the adoption of children which would shorten the amount of time on adoption appeals.	Chapter 247 of 2003
SB 64	Speier	Support (Board Action: 3/4/03)	Would protect homeowners from unfair methods of competition and deceptive acts in the business of insurance canceling, refusing to renew, or refusing to make an offer of a policy in violation of specified provisions, and would prohibit any insurance institution or agent from refusing to offer or refuse to renew coverage on a property, because of any inquiry about policy coverage or because of a notification of a loss by the insured to an insurer, when that notification is not intended by the insured to be a claim under the policy.	Assembly Insurance
SB 108	Romero	Support (Board Memo: 2/5/03) and Board Action: 2/11/03)	Would establish a five-cent fee per alcoholic beverage distributed by a wholesaler to a retailer for consumption in the State of California to fund local emergency medical services providers.	Senate Desk
SB 125	Chesbro	Oppose (Board Memo: 3/13/03)	Would extend public safety workers' compensation disability benefits under Section 4850 of the Labor Code to county welfare fraud investigators and inspectors, and coroners and deputy coroners in Los Angeles County, thereby entitling them to temporary disability payments of full salary tax-free.	Governor's Desk
SB 130	Chesbro	Support (Board Memo: 9/5/03)	Would declare legislative intent to achieve a reduction in the use of seclusion and behavioral restraints in mental health facilities and would require the State to develop technical assistance and training programs to achieve this reduction.	Governor's Desk

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
SB 139	Brulte	County-Sponsored	Would improve the "Safe Haven Law" by: 1) protecting the confidentiality of a parent who surrenders a child; 2) requiring safe haven sites to post uniform signage; 3) expanding the definition of a safe haven site to include any location designated by a board of supervisors; 4) requiring a safe haven site to notify child protective services (cps) as soon as possible after an infant is surrendered; 5) requiring cps to report information regarding the child to the California Missing Children Clearinghouse and National Crime Information Center; and 6) clarify that possession of the ankle bracelet identification does not establish parentage or a right to custody of the child.	Chapter 150 of 2003
SB 186	Murray	Support (Board Memo: 7/17/03)	Would prohibit the initiating of, or advertising in, an unsolicited commercial e-mail and authorize a recipient, internet service provider, or the Attorney General to recover actual damages as well as liquidated damages of \$1,000 per e-mail and \$1 million per incident. This measure defines unsolicited e-mails as instances where the recipient has not provided direct consent, and situations whereby a recipient does not have a "pre-existing or current business relationship".	Governor's Desk
SB 196	Kuehl	Support if Amended to provide an exemption from the conflict of interest clause in Section 13388 of the Water Code (Board Memo: 5/27/03)	Would require that persons appointed to fill the seats on the Regional Water Quality Control Board (RWQCB) be a city council member or mayor, and a county supervisor, respectively. The current requirement is simply that the respective appointees be "associated" with municipal government and county government.	Chapter 272 of 2003
SB 223	Margett	No Position	NOW: Was amended to state legislative intent to improve the workers' compensation system by promoting the efficient delivery of high-quality appropriate medical care.	Conference Committee
		Support (Board Memo: 4/4/03)	PREVIOUSLY: Would have extended the requirement to dispense generic drugs to individuals whose injuries are covered by workers' compensation to hospitals, clinics, and physicians.	
SB 228	Alarcon	No Position	NOW: Was amended to state legislative intent to improve the workers' compensation system by promoting the efficient delivery of high-quality appropriate medical care.	Conference Committee Report pending adoption
		Support if Amended to retain the existing 90-day time frame for determining employee liability (Board Memo: 5/16/03)	PREVIOUSLY: Would have prohibited fees for workers' compensation medical services from exceeding 120 percent of the Medicare fee schedule for all medical services, including outpatient surgical services and pharmaceutical services and reduced the 90 day presumption of compensability to 60 days.	

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
SB 354	Speier	No Position	NOW: Was amended to state legislative intent to improve the workers' compensation system by promoting the efficient delivery of high-quality appropriate medical care.	Conference Committee
		Support (Board Memo: 5/16/03)	PREVIOUSLY: Would have: 1) increased the maximum fine for violation of fraud provisions of workers compensation law and/or the insurance code from \$50,000 to \$100,000, 2) limited chiropractic care to no more than 15 one-hour visits unless the employee receives authorization from a medical doctor; 3) prohibited physician referrals to surgical outpatient centers where the physician or his/her family has a financial interest; and 4) required the State to develop medical utilization guidelines for use in the workers' compensation system and to establish an independent medical review process.	
SB 358	Figueroa	Support (Board Memo: 7/22/03)	Would create the Vocational Nurse Education Program to provide scholarships, educational loans, and loan repayment programs for vocational nursing students who agree in writing prior to completion of school to serve in a county health facility, state-operated health facility, or health manpower shortage area.	Governor's Desk
SB 365	Johnson	Support (Board Memo: 3/14/03)	Would amend workers' compensation law to require that employment must be the predominant cause of injury, as compared to all other causes combined, in determining eligibility for benefits and would preclude benefits for an injury that is caused by a criminal act committed by the employee for which he or she has been convicted.	Failed Passage in Senate Labor and Industrial Relations; Reconsideration granted
SB 418	Sher	Oppose (Board Memo: 8/28/03)	Would repeal and replace existing law regarding the process by which an agency obtains an agreement from the State Department of Fish and Game for the alteration of a streambed.	Governor's Desk
SB 430	Johnson	Oppose (Board Memo: 4/1/03)	Would revise existing primary election laws to mandate that the Statewide direct primary election be held on different days than the presidential primary elections, and require the Statewide direct primary election to be held the first Tuesday after the first Monday in September of each even-numbered year instead of the first Tuesday in March in each even-numbered year, beginning in 2008.	Assembly Floor
SB 440	Burton	Oppose (Board Memo: 7/7/03)	Would provide that if certain public safety employee organizations request binding arbitration on economic issues when they are at impasse with an employing local government, the decision of the arbitrator is final, unless it is overturned by the unanimous decision of the local governing body.	Governor's Desk

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
SB 457	McPherson	No Position  Support if Amended to indicate clearly that the 25% penalty applies only to the payment that was actually or unreasonably delayed or refused, rather than on all past, present and future payments (Board Memo: 4/21/03)	NOW: Was amended to express legislative intent to have the State Division of Workers' Compensation review current provisions of law regarding penalizing and deterring unreasonable late and denied benefit payments.  PREVIOUSLY: Would have amended workers' compensation law by requiring an employer to voluntarily rectify the delay or refusal to pay a workers' compensation payment within 20 days or face a 25 percent penalty. This measure would have also established a one year statute of limitation from the date of delay or refusal for a penalty claim to be filed. Existing law provides for a 10 percent penalty for unreasonably delaying or refusal to pay workers' compensation and applies to all past, present and future payments despite the fact that past payments have been made on time.	Conference Committee
SB 465	Soto	Oppose (Board Memo: 4/1/03)	Would amend existing redevelopment law to: 1) allow local governments to establish new Transit Village Redevelopment Plans (TVRP) centered on a rail transit station, and extending up to one-half mile from the rail station; 2) make affordable housing a "characteristic" to be addressed by a TVRP; 3) create new "blight" criteria for TVRP projects; and 4) extend the tax increment benefit to 60 years.	Senate Appropriations Suspense File
SB 469	Scott	Support (Board Memo: 3/13/03)	Would permit a school district to use its instructional materials budget for the visual and performing arts, foreign language, health, or any other curricular area, if it has provided each pupil with the legally-required instructional materials in language arts, reading, math, science, history, and social science.	Governor's Desk
SB 537	Romero	No Position  Oppose (Board Action: 5/13/03)	NOW: Was recently amended to require the Los Angeles County Sanitation Districts to prepare a report by July 1, 2004.  PREVIOUSLY: Would have prohibited the County from permitting the Puente Hills Materials Recovery Facility (PHMRF) to exceed the current limit of 4,000 tons per day of waste recycling by more than five percent.	Senate Desk

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
SB 593	Ackerman	Oppose (Board Memo: 4/30/03)	NOW: Still does the same, but was amended to: 1) change the starting date for implementation of the bill from FY 2004-05 to FY 2005-06; 2) change the method in which commercial aircraft would be valued that is counter to the codified settlement agreement between airline companies and counties regarding the valuation of commercial aircraft; and 3) use funding from the existing State-County Property Tax Administration Grant Program to provide the BOE with revenues to administer provisions of the bill.	Senate Appropriations Suspense File
		Oppose (Board Memo: 3/28/03)	PREVIOUSLY: Would have shifted responsibility for the assessment of personal property owned by commercial air operators from the County Assessor to the State Board of Equalization beginning in Fiscal Year 2004-05 which could have resulted in inaccurate assessments that would reduce County revenues.	
SB 629	Soto	Oppose (Board Memo: 3/13/03)	Would provide a presumption of job-relatedness to licensed health care professionals who develop a blood-borne infectious disease, thereby entitling them to receive workers' compensation or disability retirement benefits if they contract a blood-related or infectious disease.	Senate Appropriations Suspense File
SB 663	Speier	Support (Board Memo: 6/18/03)	NOW: Still does the same but was amended to address County concerns.	Assembly Appropriations Suspense File
		Support if Amended to allow a sale to be delayed for a period not to exceed four years (Board Memo: 5/14/03)	PREVIOUSLY: Would have required the tax collector, with regards to tax-defaulted property subject to sale, to: 1) make an additional attempt to contact the owner-occupant in person or by telephone no less than 10 days prior to the date of sale if the home is subject to a homeowner's exemption and the first attempt to contact the owner-occupant is unsuccessful; and 2) remove the property from the sale if contact is not made after this additional attempt, and prohibit the property from being offered for sale until personal contact is made or the homeowner's exemption is removed.	
SB 714	Battin	Support (Board Memo: 4/23/03)	NOW: Was amended to delete the 10 percent cause threshold and retain the current law that stipulates that benefits be paid even if the current injury represents as little as 1 percent of the cause but still apportions a disability to non-work related causes.	Failed Passage in Senate Labor and Industrial Relations; Reconsideration granted
		Support (Board Memo: 4/4/03)	PREVIOUSLY: Would have required that all reports and medical exams submitted to the State Workers' Compensation Appeals Board to determine employee disability or compensation awards address the percentage that the work-related illness, disease or injury contributed to the employee's disability or death and provide that permanent disability or death benefits are not payable unless the work-related injury contributed at least 10 percent to the cause or disability when compared to all other causes in total.	

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
SB 726	Romero	County-Sponsored	Would authorize a county board of supervisors to place on the ballot a local alcohol tax on the sale of beer, wine and distilled spirits when they are sold for on-site consumption.	Senate Revenue and Taxation
SB 757	Poochigian	No Position	NOW: Was amended to state legislative intent to improve the workers' compensation system by promoting the efficient delivery of high-quality appropriate medical care.	Conference Committee
		Support (Board Memo: 6/23/03)	PREVIOUSLY: Would have required the implementation of medical treatment utilization guidelines and protocols for use in the workers' compensation system. The utilization guidelines and protocols would have been based on standards used in other medical benefit systems as recommended by the State Commission on Health, Safety and Workers' Compensation.	
SB 867	Burton	Oppose (Board Memo: 4/4/03)	Would add acupuncturist to the definition of physician for purposes of appointment as a Qualified Medical Evaluator in the workers' compensation system.	Senate Labor and Industrial Relations
SB 892	Murray	Support (Board Action: 6/24/03)	Would require every public and private school to have restroom facilities that are open during school hours, maintained and cleaned regularly, fully operational, and stocked with soap and paper supplies and would make a school district that operates a public school in violation of these provisions ineligible for State deferred maintenance funds matching apportionments if the violation is not corrected within 30 days after receipt of notice.	Governor's Desk
SB 899	Poochigan	No Position	NOW: Was amended to state legislative intent to improve the workers' compensation system by promoting the efficient delivery of high-quality appropriate medical care.	Conference Committee
		Support (Board Memo: 6/10/03)	PREVIOUSLY: Would have prohibited a physician from referring a person with a workers' compensation case to outpatient surgery facilities where the physician or his or her family has a financial interest.	
SB 919	Ortiz	Support (Board Action: 6/10/03)	Would add code enforcement officers, which includes any person who has enforcement authority for health, safety, and welfare requirements, to the list of specified officers or other persons protected under the Penal Code, and expands the protection statute when a person commits assault or battery against a code enforcement officer such as the County's Environmental Health Specialists.	Chapter 274 of 2003
SB 921	Kuehl	Support (Board Action: 4/29/03)	Would establish the California Health Care System and make all California residents eligible for health care benefits under this single-payer system.	Assembly Health

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
SB 957	McClintock	Support (Board Action: 4/22/03)	Would define a transportation gridlock emergency as a condition that requires extraordinary State action and authorizes the Governor to declare a state of emergency when any highway has an average daily vehicle delay that exceeds 3,000 vehicle hours per day.	Failed Passage in Senate Transportation
SB 976	Ducheny	Support (Board Memo: 8/28/03)	Would amend the Budget Act of 2002 by reverting \$5,713,000 from the Harbors and Watercraft Fund to the Public Beach Restoration Fund and authorize the transfer of the moneys for expenditure pursuant to the California Public Beach Restoration Act.	Assembly Floor
SB 1043	Budget & Fiscal Review	Support (Board Memo: 9/11/03)	Would establish the Castaic Lake Task Force to make recommendations to the Board of Supervisors and Legislature, by April 1, 2004, on long-term financial plans for continuing operation of Castaic Lake, and appropriates \$900,000 from the Harbors and Watercraft Revolving Fund to the County as a one-time match to operate Castaic Lake.	Assembly Floor
SCR 5	Scott	Support (Board Memo: 3/13/03)	Would declare the Legislature's acknowledgment and support of standards-based instruction in the visual and performing arts in all California public schools, pre-kindergarten through grade 12.	Resolution Chapter 124 of 2003
SJR 6	Soto	Support (Board Memo: 3/14/03)	Would call upon the Congress to provide additional funding to the states for first responder training as part of homeland security funding.	Governor's Desk
SJR 7	Karnette	Support (Board Memo: 5/7/03)	Would request the President and Congress to maintain the present Federal restrictions on truck lengths and weights included in the Transportation Equity Act for the 21 <sup>st</sup> Century (TEA-21), and resist any changes in subsequent legislation.	Resolution Chapter 103 of 2003
SR 23	Murray	Support (Board Action: 6/24/03)	Would call upon the United States Navy and Department of Transportation to preserve a national aviation asset by approving the City of Los Angeles's offer to lease the El Toro marine base and operate the facility as a civilian passenger and cargo airport.	Senate Desk



**COUNTY OF LOS ANGELES - CHIEF ADMINISTRATIVE OFFICE**  
**STATUS OF BILLS OF INTEREST TO THE COUNTY**  
**2003-04 FIRST SPECIAL LEGISLATIVE SESSION ON BUDGET**

Adjourned on July 29, 2003

These are bills we have pursued in Sacramento pursuant to Board actions or as reported in bill policy memoranda.

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
AB 4X	Wesson	Support (Board Memo: 1/23/03 and Board Action: 1/28/03)	Would amend current law to clarify that the Director of Finance is responsible for implementing the "trigger" provision in existing law that restores the Vehicle License Fee (VLF) rate in the event that the State General Fund is insufficient to finance "backfill" payments to local governments.	Died at Assembly Desk
SB 1X	Poochigian	No Position but support the provisions of SB 1X which suspend Chapter 938 of 2001 and Chapter 6 of 2002 (Board Action: 4/1/03)	Would suspend various statutes related to overtime, prevailing wages, workers' compensation benefit increases, labor standards, and payment of workers' compensation premiums by temporary agencies until a proclamation by the Governor is issued declaring that the California economy has fully recovered from the current economic recession. Urgency measure.	Died in Senate Labor and Industrial Relations
SB 5X	Romero	Support (Board Memo: 1/29/03)	Would establish a five-cent fee per alcoholic beverage distributed by a wholesaler to a retailer for consumption in the State of California to fund local emergency medical services providers. Those providers include emergency rooms, trauma centers, and emergency medical professionals and other entities which provide services in alcohol-related emergencies.	Died at Senate Desk